

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WILLIAM E. DUGAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 07 C 0011
)	
ASPHALT ENGINEERS, INC., an)	JUDGE JOHN W. DARRAH
Indiana corporation,)	
)	
Defendant.)	

MOTION FOR ENTRY OF DEFAULT AND JUDGMENT

NOW COME Plaintiffs, by their attorneys, and move for entry of judgment by default against Defendant, ASPHALT ENGINEERS, INC., an Indiana corporation, in the total amount of \$26,201.21, plus Plaintiffs' court costs and reasonable attorneys' fees in the amount of \$692.50.

On January 23, 2007, the Summons and Complaint was served on the Registered Agent (by tendering a copy of said documents to Mrs. Marvin, the spouse of William D. Marvin) at his residence (a copy of the Summons and Affidavit of Service is attached hereto). Therefore, Defendant's answer was due on February 12, 2007. As Defendant has failed to timely answer the Complaint, Plaintiffs respectfully request entry of default and judgment.

/s/ Jennifer L. Dunitz-Geiringer

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Default and Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 6th day of March 2007:

Mr. William D. Marvin, Registered Agent
Asphalt Engineers, Inc.
21644 Jackson Road
South Bend, IN 46614-9288

/s/ Jennifer L. Dunitz-Geiringer

Jennifer L. Dunitz-Geiringer
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6237001
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: jdunitz.geiringer@baumsigman.com

I:\MOEJ\Asphalt Engineers\motion for default judgment.jdg.df.wpd